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Agenda item 36

QUESTION OF PALESTINE

Afghanistan, Algeria, Bangladesh, Cuba, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Malaysia, Malta, Mauritania, Qatar, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Viet Nam and Yemen: draft resolution

Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988, 44/41 B of 6 December 1989, 45/67 B of 6 December 1990, 46/74 B of 11 December 1991, 47/64 B of 11 December 1992, 48/158 B of 20 December 1993, 49/62 B of 14 December 1994, 50/84 B of 15 December 1995 and 51/24 of 4 December 1996,

1. Notes with appreciation the action taken by the Secretary-General in compliance with its resolution 51/24;

[1] Official Records of the General Assembly, Fifty-second Session, Supplement No. 35 (A/52/35).

2. Considers that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution through the organization of seminars and meetings of non-governmental organizations, as well as through its research and monitoring activities, the preparation of studies and publications and the collection and dissemination of information in printed and electronic form on all issues pertaining to the question of Palestine;

3. Requests the Secretary-General to continue to provide the Division with the necessary resources, including for the further development of the United Nations Information System on the Question of Palestine,[2] and to ensure that it continues to discharge the tasks detailed in paragraph 1 of resolution 32/40 B, paragraph 2 (b) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B, paragraph 2 of resolution 42/66 B, paragraph 2 of resolution 44/41 B, paragraph 2 of resolution 46/74 B, paragraph 2 of resolution 48/158 B, paragraph 3 of resolution 49/62 B, paragraph 3 of resolution 50/84 B and paragraph 3 of resolution 51/24, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

4. Also requests the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. Invites all Governments and organizations to lend their cooperation to the Committee and the Division in the performance of their tasks;

6. Notes with appreciation the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People, requests them to continue to give the widest possible publicity to the observance, and requests the Committee to continue to organize, as part of the observance of the Day of Solidarity, an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations.

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[2] Ibid., paras. 101 and 102.

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Special information programme on the question of Palestine

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Taking note, in particular, of the information contained in chapter VI of that report,

Recalling its resolution 51/25 of 4 December 1996,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

Aware of the Declaration of Principles on Interim Self-Government Arrangements signed by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[2] and of the subsequent implementation agreements, in particular the Israeli-Palestinian

[1] Official Records of the General Assembly, Fifty-second Session, Supplement No. 35 (A/52/35).

[2] A/48/486-S/26560, annex.

Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[3] and their positive implications,

1. Notes with appreciation the action taken by the Office of Communications and Public Information of the Secretariat in compliance with resolution 51/25;

2. Considers that the special information programme on the question of Palestine of the Office of Communications and Public Information is very useful in raising the awareness of the international community concerning the complexities of the question of Palestine and the situation in the Middle East in general, including the achievements of the peace process, and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. Requests the Department of Public Information, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme on the question of Palestine for the biennium 1998-1999, with particular emphasis on public opinion in Europe and North America, and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports on the work carried out by the relevant United Nations organizations;

(b) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the recent developments in that regard and, in particular, the prospects for peace;

(c) To expand its collection of audiovisual material on the question of Palestine, and to continue the production of such material;

(d) To organize and promote fact-finding news missions for journalists to the area, including the territories under the jurisdiction of the Palestinian Authority and the occupied territories;

(e) To organize international, regional and national seminars or encounters for journalists;

(f) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the training programme for Palestinian broadcasters and journalists initiated in 1995.

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[3] A/52/889-S/1997/357, annex.

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Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including resolutions adopted at the tenth emergency special session,

Recalling also the relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973,

Aware that 1997 marks fifty years since the adoption of resolution 181 (II) of 29 November 1947 and thirty years since the occupation of Palestinian territory, including Jerusalem,

Having considered the report of the Secretary-General[1] submitted pursuant to the request made in its resolution 51/26 of 4 December 1996,

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive and lasting peace in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles of the Charter of the United Nations,

[1] A/52/581.

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Affirming also the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the signing by the two parties of the Declaration of Principles on Interim Self-Government Arrangements[2] in Washington, D.C., on 13 September 1993, as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[3]

Recalling also the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho area in 1995 in accordance with the agreements reached by the parties, and the initiation of the Palestinian Authority in those areas, as well as the beginning of the redeployment of the Israeli army in the rest of the West Bank in 1996,

Noting with satisfaction the successful holding of the first Palestinian general elections,

Noting with appreciation the work of the Office of the United Nations Special Coordinator in the Occupied Territories and its positive contribution,

Welcoming the convening of the Conference to Support Middle East Peace in Washington, D.C., on 1 October 1993, as well as all follow-up meetings and the international mechanisms established to provide assistance to the Palestinian people,

Concerned about the serious difficulties facing the Middle East peace process, including the lack of implementation of the agreements reached and the deterioration of the socio-economic conditions of the Palestinian people as a result of the Israeli positions and measures,

1. Reaffirms the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects;

2. Expresses its full support for the ongoing peace process which began in Madrid and the Declaration of Principles on Interim Self-Government Arrangements[2] of 1993, as well as the subsequent implementation agreements,

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[2] A/48/486-S/26560, annex.

[3] A/51/889-S/1997/357, annex.

including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 1995,[1] and expresses the hope that the process will lead to the establishment of a comprehensive, just and lasting peace in the Middle East;

3. Stresses the necessity for commitment to the principle of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973), which form the basis of the Middle East peace process, and the need for the immediate and scrupulous implementation of the agreements reached between the parties, including the redeployment of the Israeli forces from the West Bank and the commencement of the negotiations on the final settlement;

4. Calls upon the concerned parties, the co-sponsors of the peace process and other interested parties, as well as the entire international community to exert all the necessary efforts and initiatives to bring the peace process back on track and to ensure its continuity and success;

5. Stresses the need for:

(a) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination;

(b) The withdrawal of Israel from the Palestinian territory occupied since 1967;

6. Also stresses the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

7. Urges Member States to expedite the provision of economic and technical assistance to the Palestinian people during this critical period;

8. Emphasizes the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles;

9. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

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Full participation of Palestine in the work of the United Nations

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in which it, inter alia, partitioned Palestine into an Arab State and a Jewish State, with Jerusalem as a corpus separatum,

Recalling also its resolution 3237 (XXIX) of 22 November 1974, in which it granted observer status to the Palestine Liberation Organization,

Recalling further its resolution 43/160 A of 9 December 1988, adopted under the item entitled "Observer status of national liberation movements recognized by the Organization of African Unity and/or the League of Arab States", in which it decided that the Palestine Liberation Organization was entitled to have its communications issued and circulated as official documents of the United Nations,

Recalling its resolution 43/177 of 15 December 1988, in which it acknowledged the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988 and decided, inter alia, that the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system,

Recalling also that the Security Council, at its 2041st meeting, on 27 October 1977, decided by a vote that an invitation should be extended to the Palestine Liberation Organization to participate in the debate on the situation in the Middle East and that that invitation would confer upon it the same rights of participation as those conferred upon a Member State when it is invited to participate in the discussion under rule 37 of the provisional rules of procedure of the Council, and recalling also that the invitation has been repeated on numerous occasions and that, since February 1994, Palestine has been invited to participate in the discussion without the right to vote, in accordance with the provisional rules of procedure and the established practice,

Recalling further that Palestine enjoys full membership in the Group of Asian States and the Economic and Social Commission for Western Asia,

Aware that Palestine is a full member of the League of Arab States, the Movement of Non-Aligned Countries, the Organization of the Islamic Conference and the Group of 77 and China,

Aware also that general democratic Palestinian elections were held on 20 January 1996 and that the Palestinian Authority was established on part of the Occupied Palestinian Territory,

Desirous of contributing to the achievement of the inalienable rights of the Palestinian people, thus achieving a just and comprehensive peace in the Middle East,

1. Decides to confer upon Palestine the same rights and privileges of participation as those conferred upon Member States, with the exception of voting and candidature, in the sessions and work of the General Assembly and the international conferences convened under the auspices of the Assembly or other organs of the United Nations as well as in United Nations conferences;

2. Authorizes the Secretariat of the United Nations to implement the provisions of the present resolution, and requests the Secretary-General to proceed expeditiously in this regard.

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THE SITUATION IN THE MIDDLE EAST

Afghanistan, Algeria, Bangladesh, Cuba, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates and Yemen: draft resolution

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995 and 51/27 of 4 December 1996, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

[1] A/52/467.

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

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The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[1]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

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[1] A/52/467.

[2] United Nations, Treaty Series, vol. 75, No. 973.

Stressing the illegality of the Israeli settlement construction and activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening at Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

Expressing grave concern over the halt in the peace process on the Syrian and Lebanese tracks, and expressing the hope that peace talks will soon resume from the point they had reached,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. Declares also that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[3] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. Determines once more that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. Calls upon Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. Demands once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. Calls upon all the parties concerned, the co-sponsors of the peace process and the entire community to exert all the necessary efforts to ensure the resumption of the peace process and its success;

8. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

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[3] See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).